

ATTACHMENT 1

Dinosaur Lowlands

November 2010

DESCRIPTION: Summary of both of the areas (external and internal) for the Dinosaur Lowlands within the BLM's Vernal MLP proposal.

The external proposal was submitted by The Wilderness Society, Southern Utah Wilderness Alliance (SUWA), Center for Native Ecosystems and Colorado Environmental Coalition on August 9, 2010.

The original external proposal included approximately 999,355 acres, the majority of which is on the Colorado side. However, in late October following discussions with SUWA, the proposal was split at the state line. SUWA assumed responsibility for the Utah portion of the proposal and the Wilderness Society will be responsible for the Colorado portion. The Utah portion of the proposal includes 265,000 acres in northeastern Utah that is 10 - 20 miles wide and 25 miles north to south, and wraps around the western portion of Dinosaur National Monument (NM).

The BLM Vernal MLP proposal includes a similar area, (293,032 acres) that includes more lands north of Dinosaur NM but excludes the highly developed producing gas field on the southwest edge of SUWA's proposed area.

The potential resource issues raised in the above area include impacts from leasing to wildlife resources, sensitive plants, Citizen Wilderness Proposals (CWP), areas previously considered for an Areas of Critical Environmental Concern (ACEC), designated ACECs and areas that were inventoried for wilderness characteristics. Wildlife resource issues raised in the external proposal consist of: five white-tailed prairie dog complexes, black-footed ferret habitat and reintroduction areas, greater sage-grouse habitat, raptor habitat and Graham's penstemon occurrences along with other native plant species. The external proponents assert that the BLM should reconsider two CWP areas (Bourdette Draw and Bull Canyon) and areas that were previously considered and not designated as an ACEC [those adjacent to Dinosaur NM] in the 2008 RMP. The proposal also describes the following Utah areas that were inventoried by BLM for wilderness characteristics and may or may not have been found to contain them: Moonshine Draw, Beach Draw, Stuntz Draw, Vivas Cake Fill, Split Mountain Benches, Split Mountain Benches South, and Stone Bridge Draw.

The Utah BLM has found that the Vernal Field Office Record of Decision and Approved Resource Management Plan (RMP); dated October 31, 2008¹ (as maintained) addressed most of the above issues in the following ways.

The decisions within the Approved RMP were developed through an interdisciplinary process and extensive public participation including three of the groups who submitted this MLP proposal (SUWA, The Wilderness Society and Center for Native Ecosystems). Colorado Environmental Coalition was the only group that did not participate in the process and also did not protest the Vernal RMP. The RMP considered provisions of other state, county & federal plans. It also considered appropriate habitat management plans, endangered species recovery

¹ Accessed online at: http://www.blm.gov/ut/st/en/fo/vernal/planning/rmp/rod_approved_rmp.html.

plans, and numerous activity plans and policies. All of the resource issues/values identified were addressed during the recent planning process.

The National Historic Preservation Act Section 106 consultation requirements were completed and the State Historic Preservation Office concurred with a No Adverse Effect to historic properties determination.

Likewise, the Endangered Species Act Section 7 consultation was based on appropriate surface disturbing activities and a Biological Assessment was completed. Effects determinations for each species are affirmed by the United States Fish and Wildlife Service (USFWS) in their Biological Opinion (BO) (RMP, Appendix N). The BO also includes appropriate conservation measures and notices for each species. Sensitive species and other wildlife specific stipulations/notices were developed in cooperation with the State of Utah's Division of Wildlife Resources and USFWS. Appendix K (RMP) details stipulations applicable to all surface disturbing activities. The RMP provides fluid mineral best management practices (RMP, Appendix R) and raptor best management practices (RMP, Appendix A) including map delineations (RMP, Figures 8a, 18a & 19a).

Additional special status species decisions cover implementation/updating recovery plans & agreements, inventory & evaluation populations/habitat status, developing species specific plans, enhancement of special status species fish habitat, and species specific provisions (including white-tailed prairie dog, black footed ferret, greater sage-grouse, and raptors) (RMP, pages 128-132).

Likewise, additional wildlife and fisheries decisions for habitat banking, predator control, blue ribbon fisheries, habitat fragmentation, migratory birds, habitat boundary adjustments, implementation/revision of habitat management plans, guzzlers, oil and gas well workover coordination & improvement, fence modifications, big game habitats, raptors (nesting, electrocution & partnerships), bear baiting, grazing season of use or class of livestock changes, species reintroductions, forage allocations, and bison management are also detailed in the RMP on pages 141-146.

Management considerations in selecting the approved RMP included air quality, cultural resources, fire management, forage, lands & realty, livestock & grazing management, minerals & energy resources, non-WSA lands with wilderness characteristics, recreation & special management recreation areas (SRMAs), special designations (ACECs & Wild and Scenic Rivers), vegetation, travel (roads & trails), visual resource management, wild horses, and wildlife & fisheries resources.

BLM considered the designation of Coyote Basin (Snake John and Shiner) and Middle Green River as ACECs (RMP, pages 39-41). Management protections for the Coyote Basin [white-tailed prairie dog relevant and importance (R&I) values] areas include controlled surface use for oil and gas leasing, travel limited to designated routes and applicable provisions of the black-footed ferret recover plan. Additional requirements are not warranted to protect R&I values. Middle Green River (scenic and riparian ecosystem R&I) is managed as no surface occupancy for oil and gas leasing, travel limited to designated routes, riparian area policy use restrictions. As such, the R&I values will be managed and protected.

Concerning the two potential ACECs, the BLM made a decision to manage for special status plants in those two potential ACECs. Until such time that further ACEC designation and review² is considered (RMP, page 18), inventories will be conducted and avoidance will be provided for Graham's penstemon and Pariette cactus (including 300 foot buffer outside a surface disturbing project area). Infrastructure will be designed to minimize impacts to or avoid individual plants. Consultation will be conducted with the USFWS.

Non-WSA areas with wilderness characteristics were considered throughout the planning process. As discussed in the RMP (pages 32-34), areas not selected for the management of wilderness characteristics were found to have other important values and the management decision was to manage for one or more of those other values.

BLM prepared a Supplement to the Draft Environmental Impact Statement (DEIS) (9/2007) which defined and updated the issues of wilderness characteristics and minerals management. Bourdette Draw, Split Mountain Bench, Split Mountain Bench South, and Stone Bridge Draw were each found to not contain wilderness character (Supplemental DEIS, Table 3.22.1). Minor portions of Beach Draw and Bull Canyon areas were also found not to contain wilderness character. Whereas, the larger portions of these contain wilderness character and also are adjacent to Dinosaur National Monument. As such, these BLM natural areas are closed to leasing and specifically provide for primitive recreation opportunities (RMP Pages 101-102 and 32, respectively).

A list of RMP protesting parties and a summary of issues are contained in the Director's Protest Resolution Report prepared on October 28, 2008³. Challenges to the RMP were appropriately addressed during the planning process. RMP decisions were reviewed against the protest merits and specifically addressed non-WSA lands with wilderness characteristics, ACECs and wild and scenic river designations. The SUWA (et al) protest claimed that BLM did not properly consider their wilderness characteristics nominations and found fault with the boundary delineations made by BLM and therefore maintained that BLM ignored vital information. In his report, the Director affirmed BLM's wilderness character review process and stands firmly on its subsequent decisions regarding the selection and management of the non-WSA lands with wilderness characteristics.

² As granted to the Center for Native Ecosystem in resolution to a filed protest to the Vernal RMP.

³ Accessed online at:

http://www.blm.gov/style/medialib/blm/wo/Planning_and_Renewable_Resources/utah.Par.64438.File.pdf/Vernal_RMP_Directors_Protest_Resolution_Report.pdf.